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6 Attorney for Albert Landaverde
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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 ALBERT LANDAVERDE,

14 Defendant.
15

Case No. 2:19-MJ-935-BNW

**STIPULATION TO CONTINUE
BENCH TRIAL**
(First Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.
17 Trutanich, United States Attorney, and Rachel Kent, Special Assistant United States Attorney,
18 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,
19 and Tiffany L. Nocon, Assistant Federal Public Defender, counsel for Albert Landaverde, that
20 the bench trial currently scheduled on January 15, 2020, be vacated and continued to a date and
21 time convenient to the Court, but no sooner than thirty (30) days.

22 This Stipulation is entered into for the following reasons:

- 23 1. To allow more investigation.
24 2. Mr. Landaverde is *not* in custody and does not oppose this continuance.
25 3. Additionally, denial of this request for continuance could result in a miscarriage of
26 justice. The additional time requested by this Stipulation is excludable in computing

1 the time within which the trial herein must commence pursuant to the Speedy Trial
2 Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors
3 under Title 18, United States Code § 3161(h)(7)(B)(iv).
4

5 This is the first request for a continuance of the bench trial.
6

7 January 6, 2020.
8

9 RENE L. VALLADARES
10 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

11 By Tiffany L. Nocon

By Rachel Kent

12 TIFFANY L. NOCON
13 Assistant Federal Public Defender

RACHEL KENT
Special Assistant United States Attorney

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3 **UNITED STATES DISTRICT COURT**
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5 UNITED STATES OF AMERICA,

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10

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FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

11
12 **FINDINGS OF FACT**

13 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
14 Court finds that:

- 15 1. To allow more investigation.
16 2. Mr. Landaverde is not in custody and does not oppose this continuance.
17 3. Additionally, denial of this request for continuance could result in a miscarriage of
18 justice. The additional time requested by this Stipulation is excludable in computing
19 the time within which the trial herein must commence pursuant to the Speedy Trial
20 Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors
21 under Title 18, United States Code § 3161(h)(7)(B)(iv).

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23 This is the first request for a continuance of the bench trial.
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